

REMARKS

Claims 8 through 10 and 22 through 25 are pending. Claims 8 and 22 are amended. New claims 26 through 29 have been added. No new matter is being added by virtue of this response.

Paragraphs 1 and 2 of the Office Action

Figures 6 and 7 previously submitted on July 25, 2002 7/25/02 have not been approved. As a result, the drawings have been objected to under 37 CFR 1.83(a) for failing to show the claimed "IV bag and plastic-wrapped food package."

New versions of Figures 6 and 7 are being submitted (in an accompanying Letter to the Office Draftsperson) to show every feature of the invention specified in the claims, namely the IV bag and plastic-wrapped food package. The new version of Figure 6 no longer depicts the flap and suspension hole and the new version of Figure 7 no longer depicts a food package with an open top. Accordingly, it is believed that the new versions of Figures 6 and 7 are no longer objectionable. Therefore, the addition of Figures 6 and 7 should be approved and withdrawal of this objection is respectfully requested.

Paragraphs 3 and 4 of the Office Action

Claims 8 through 10 and 22 through 25 have been rejected under 35 U.S.C. § 103(a) is being unpatentable over U.S. Patent No. 5,223,315 to Katsura et al. in view of U.S. Patent No. 5,405,667 to Heider and Admitted Prior Art.

Claim 8 has been amended to further require that the metallic layer be bonded without adhesive to the external surface of the semi-permeable container *by heating the metallic layer to a temperature where an adjacent portion of the external surface is melted so that the metallic layer is thereby fused to the external surface upon cooling below the temperature* (emphasis added). Similarly, the method set forth in claim 22 has been amended to require that the obtained semi-permeable container have a metallic layer bonded directly without adhesive to the

external surface of the semi-permeable container *by heating the metallic layer to a temperature where an adjacent portion of the external surface is melted so that the metallic layer is thereby fused to the external surface upon cooling below the temperature* (emphasis added). The combination of limitations now set forth in amended claims 8 and 22 are simply not taught disclosed or suggested in any of the cited references (namely the Katsura reference, the Heider reference and the Admitted Prior Art). In addition, the cited references do not include any motivation that would suggest the combination of limitations set forth in the amended claim 8 and 22. Accordingly, claims 8 and 22, as amended, are believed to be patentable over the cited references and allowance of amended claims 8 and 22 is respectfully requested. Claims 9, 10, 23, 24 and 25 depend from the amended claim 8 and therefore, by virtue of their dependency, are now believed to be in condition for allowance.

New claims 26 through 29 have been added to further clarify and define the scope of embodiments of the claimed invention and are believed to be allowable. Additionally, new claims 26 through 28 depend from the amended claim 8 and therefore also believed to be allowable by virtue of their dependency.

Thus, for at least the foregoing reasons, reconsideration and withdrawal of the above rejections is respectfully requested.

If for any reason an insufficient fee has been paid, the Examiner is hereby authorized to charge the insufficiency to Deposit Account No. 05-0150.

If the Examiner has any questions or needs any additional information, the Examiner is invited to telephone the undersigned attorney at (650) 843-3215.

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Respectfully submitted,

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